

AARON D. FORD  
Attorney General  
CHARLES D HOPPER (Bar No. 6346)  
Deputy Attorney General  
State of Nevada  
Office of the Attorney General  
555 East Washington Ave., Ste. 3900  
Las Vegas, NV 89101  
(702) 486-3655 (phone)  
(702) 486-3773 (fax)  
Email: cdhopper@ag.nv.gov  
*Attorneys for Defendants*  
*James Cox, James Dzurenda,*  
*Dwight Neven, and Brian Williams*

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

THAD AUBERT,

Plaintiff,

vs.

JAMES DZURENDA, *et al.*,

Defendants.

Case No. 2:18-cv-01329-GMN-EJY

**DEFENDANTS' MOTION FOR AN  
EXTENSION OF TIME TO FILE A  
JOINT INTERIM STATUS REPORT  
(SECOND REQUEST)  
(ECF NO. 62)**

Defendants, Director James Dzurenda (Director Dzurenda), Warden Brian Williams (Warden Williams), Warden Dwight Neven (Warden Neven) and James Cox (Cox), by and through Aaron D. Ford, Attorney General for the State of Nevada, and Charles D Hopper, Deputy Attorney General, request this Court grant a fourteen (14) day extension of time to file a joint interim status report.

This Court should grant Defendants' motion for an extension of time to file a Joint Interim Status Report. Although undersigned counsel had arranged a telephonic meeting to discuss estimated trial length and trial availability with Plaintiff, undersigned counsel was unable to participate due to illness. Accordingly, Defendants request a second short extension to file the Joint Interim Status Report.

1 **I. BACKGROUND**

2 On December 19, 2019, this Court entered a discovery plan and scheduling  
3 deadlines. (ECF No. 62). The Court ordered the parties to submit an Interim Status Report  
4 on or before April 21, 2020. (*Id.*). The Court then granted Defendants' Motion for an  
5 Extension of Time to File a Joint Interim Status Report (First Request) on April 30, 2020,  
6 wherein the Joint Interim Status Report was due on May 5, 2020. (ECF No. 83). Although  
7 undersigned counsel had arranged a telephonic meeting to discuss estimated trial length  
8 and trial availability with Plaintiff, undersigned counsel was unable to participate due to  
9 illness. See Declaration of Counsel, attached as Exhibit A. Accordingly, the undersigned  
10 counsel is in the process of arranging another telephonic conference to discuss these issues  
11 as soon as possible. *Id.* However, the conference call cannot be completed before the May  
12 5, 2020, deadline.

13 **II. APPLICABLE LAW**

14 Pursuant to Federal Rule of Civil Procedure 6(b)(1)(A), this Court may extend the  
15 time to perform an act within a specific time for good cause shown.

16 **III. LEGAL ARGUMENT**

17 This Court should grant Defendants' motion to extend the deadline to file a Joint  
18 Interim Status Report. To date, Plaintiff has not contacted undersigned counsel to prepare  
19 a Joint Interim Status Report. Accordingly, undersigned counsel is in the process of  
20 arranging a telephonic meeting as soon as possible to discuss the Joint Interim Status  
21 Report. Good cause exists to extend the deadline based on the parties' inability to meet  
22 concerning this filing. Defendants therefore request this Court grant the parties until May  
23 19, 2020 to file a Joint Interim Status Report.

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CONCLUSION

This Court should grant an extension of deadline to file a Joint Interim Status Report. Counsel is diligently working to complete the Joint Interim Status Report, but has been unable to do so.

DATED this 4<sup>th</sup> day of May, 2020.

AARON D. FORD  
Attorney General

By: /s/ Charles D Hopper  
CHARLES D HOPPER (Bar No. 6346)  
Deputy Attorney General  
*Attorneys for Defendants*  
*James Cox, James Dzurenda,*  
*Dwight Neven, and Brian Williams*

ORDER

**Defendants' Motion for an Extension of Time to File a Joint Interim Status Report (ECF No. 84) is GRANTED. The parties shall have through and including May 9, 2020 to file a Joint Interim Status Report.**

  
UNITED STATES MAGISTRATE JUDGE

**Dated: May 5, 2020**